

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
BEAUMONT DIVISION**

UNITED STATES OF AMERICA

V.

DAMON EMANUEL ELLIOTT

§
§
§
§
§

No. 1:08-CR-121

**ORDER ADOPTING REPORT AND RECOMMENDATION
OF UNITED STATES MAGISTRATE JUDGE**

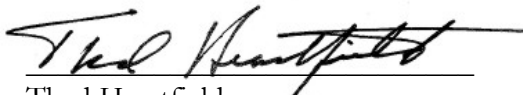
Before the court is a report and recommendation of the United States magistrate judge regarding defendant's competency for trial.

Having conducted an independent review, the court concludes that the defendant is competent to stand trial because he is able to understand the nature and consequences of the proceeding against him, and able to assist his attorney in his defense. It is therefore

ORDERED the report and recommendation of the United States magistrate judge on defendant's competency to stand trial is **ADOPTED**. It is further

ORDERED that defendant Damon Emanuel Elliott is competent to stand trial.

SIGNED this the 19 day of May, 2009.


Thad Heartfield
United States District Judge